

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

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|---------------------------|---|-----------|
| UNITED STATES OF AMERICA, |) | |
| |) | |
| Plaintiff, |) | 8:02CR435 |
| |) | |
| v. |) | |
| |) | |
| CHARLES MARION, |) | ORDER |
| |) | |
| Defendant. |) | |
| _____ |) | |

This matter is before the Court on defendant's motion to reduce sentence (Filing No. [84](#)), and the stipulation of the parties (Filing No. [85](#)). The retroactive amendment to the cocaine base guideline changes the total (final) offense level from 35 to 31. The criminal history category remains at II. The government and defense agree that the new sentence should be one hundred twenty-one (121) months imprisonment, based on the prior computation of specific offense characteristics, adjustments, and any departures. Accordingly,

IT IS ORDERED that said motion is granted and the stipulation of the parties is approved and adopted; the sentence of the defendant is reduced to a term of one hundred twenty-one (121) months. He shall receive credit for all time served. The

conditions of supervised release entered in the original judgment and committal order remain in full force and effect.

DATED this 14th day of November, 2011.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court